



1                   APPEARANCES:

2                   ILLINOIS DEPARTMENT OF TRANSPORTATION, by  
3                   MS. MEGAN McNEILL  
4                   100 East Randolph, Suite 6-600,  
5                   Chicago, Illinois 60601  
6                   megan.mcneill@illinois.gov  
7                   on behalf of I-DOT;

8                   MR. THOMAS J. HEALEY  
9                   CN/Illinois Central Railroad Company  
10                  17641 South Ashland Avenue  
11                  Homewood, IL 60430  
12                  (708) 332-4381  
13                  tom.healey@cn.ca  
14                  on behalf of  
15                  CN/Illinois Central Railroad Company;

16                  ILLINOIS COMMERCE COMMISSION, by  
17                  MR. BRIAN A. VERCROY  
18                  527 East Capitol Avenue  
19                  Springfield, IL 62701  
20                  (312) 636-7760  
21                  bvercroy@icc.illinois.gov  
22                  on behalf of ICC Staff.

ALSO PRESENT:

Paul Chojenski,  
Manager of Public Works for CN Illinois Central  
Railroad

1 JUDGE KIRKLAND-MONTAQUE: By the power vested  
2 in me by the State of Illinois and the Illinois  
3 Commerce Commission, I now call Docket No. T13-0114  
4 for hearing. This is in the matter of the State of  
5 Illinois Department of Transportation versus the  
6 Illinois Central Railroad Company and the Village of  
7 Bourbonnais.

8 May I have appearances, please? Let's  
9 start with I-DOT.

10 MS. MCNEILL: Appearing on behalf of the  
11 Illinois Department of Transportation, Megan McNeill,  
12 100 East Randolph, Suite 6-600, Chicago, Illinois  
13 60601.

14 JUDGE KIRKLAND-MONTAQUE: Okay. Illinois  
15 Central?

16 MR. HEALEY: Good morning, your Honor. Thomas  
17 Healey, H-e-a-l-e-y, on behalf of Respondent,  
18 Illinois Central Railroad Company. My office address  
19 is 17641 South Ashland Avenue in Homewood, Illinois  
20 60430. Telephone, (708) 332-4381.

21 JUDGE KIRKLAND-MONTAQUE: Staff?

22 MR. VERCRUYSSSE: Thank you, your Honor. Brian

1 Vercruysse, V, as in Victor, e-c-r-u-y-s-s-e,  
2 representing the Rail Safety Section of the Illinois  
3 Commerce Commission. Phone number, (312) 636-7760.  
4 Thank you.

5 JUDGE KIRKLAND-MONTAQUE: Well, I scheduled a  
6 status hearing so that I could get an update on where  
7 this project is.

8 And, Mr. Healey, if you would be so  
9 kind as to fill us in.

10 MR. HEALEY: Very good, your Honor. As I  
11 understand it, the only remaining agreement that's  
12 left to be executed is an interconnect agreement to  
13 provide a connection between the Railroad's signal  
14 bungalow and the operation of the adjacent highway  
15 signals for traffic.

16 Last November I had received a  
17 communication from counsel for Bourbonnais with whom  
18 we have the agreement saying that they wanted to make  
19 some edits to our standard template. And I responded  
20 saying, That's fine; If you'd red line them in and  
21 send something back, we'll take a look at them. And  
22 I haven't received any response to that

1 communication.

2 JUDGE KIRKLAND-MONTAQUE: Okay.

3 MR. HEALEY: Mr. Chojenski would be able to  
4 give us the status of the Railroad relative to the  
5 physical aspects of the project -- putting in the  
6 surface and signals -- if you wanted him on the  
7 record for that.

8 JUDGE KIRKLAND-MONTAQUE: Sure. Why not? Why  
9 don't you give us an update.

10 MR. PAUL CHOJENSKI: Sure. Paul Chojenski,  
11 Manager of Public Works --

12 JUDGE KIRKLAND-MONTAQUE: Can you spell your  
13 last name.

14 MR. PAUL CHOJENSKI: Sure. It's  
15 C-h-o-j-e-n-s-k-i. I'm a manager of Public Works for  
16 CN/Illinois Central Railroad. My address is 17641  
17 South Ashland Avenue, Homewood, Illinois 606430.

18 The overall schedule for the project:  
19 I've been communicating with I-DOT through Steve  
20 Klein (phonetic), Railroad Coordinator. He indicated  
21 the schedule for the installation would be late in  
22 the construction season of 2016 to put the surface

1 in; and early in 2017 we'd put signals in.

2 We have started both ordering material  
3 and design for the project. We should have no  
4 problem meeting those dates to coordinate with I-DOT  
5 on the project.

6 I think that's everything as far as  
7 engineering and installation for the project.

8 JUDGE KIRKLAND-MONTAQUE: Okay. So I guess the  
9 only other thing is that there -- we may need to  
10 extend the completion date; but, as of yet, the  
11 August 16th date is in place.

12 And, I-DOT, you'd be prepared to come  
13 back with the --

14 MS. McNEILL: Yes, your Honor. I-DOT would be  
15 willing to file a motion for extension prior to that  
16 August 16th completion date, if need be -- which it  
17 sounds like we will need to.

18 JUDGE KIRKLAND-MONTAQUE: Okay. And maybe if  
19 I-DOT could try to contact the Village to try to  
20 check on the status of this interconnection  
21 agreement, that might be helpful.

22 MS. McNEILL: Sure. We'd be happy to reach

1 out.

2 JUDGE KIRKLAND-MONTAQUE: Okay. Is there  
3 anything else?

4 MS. McNEILL: One more thing from I-DOT, your  
5 Honor. We had filed a -- I think it's a petition for  
6 a supplemental order and a request for an expedited  
7 hearing. I believe that was back in December of  
8 2014.

9 And from I-DOT's perspective, issues  
10 brought up in that petition have been resolved. So  
11 later this week we are going to be filing a motion to  
12 withdraw that supplemental -- petition for a  
13 supplemental order.

14 JUDGE KIRKLAND-MONTAQUE: Okay. I'll look  
15 forward to that, and I'll rule on it when I receive  
16 it.

17 So, at this point, assuming that this  
18 interconnection agreement is signed, things look like  
19 they're going along. They may be delayed a little  
20 bit, but not too far out.

21 MR. HEALEY: Right. I mean, we obviously don't  
22 know what issues the City has with the special

1 provisions portion of the agreement; but my  
2 experience has been those are usually, as I said  
3 before we went on the record, procedural and easily  
4 resolvable -- more a matter of coordination than  
5 substance. We're unaware of anything that's an  
6 impediment right now.

7 JUDGE KIRKLAND-MONTAQUE: All right.

8 Mr. Vercruysse?

9 MR. VERCruysse: Your Honor, the only thing  
10 that Staff requests, since I'm new with the case, is  
11 just to review the interconnect agreement and just to  
12 have a copy so I'm aware of what's provided in there,  
13 because we have set procedures to complete  
14 inspections before it's installed. I just want to  
15 make sure we're on the same page.

16 MR. HEALEY: And, for the record, I've e-mailed  
17 to Mr. Vercruysse the last version of the  
18 interconnect agreement and the exhibits.

19 JUDGE KIRKLAND-MONTAQUE: Okay. All right.

20 MR. VERCruysse: Thank you.

21 JUDGE KIRKLAND-MONTAQUE: Sounds good. So,  
22 procedurally, once I receive the motion to withdraw



1 the petition there won't be any action needed there.

2 And I will also -- if necessary, there  
3 would be a request for an extension of time, in which  
4 case I would draft a supplemental order for that.

5 So it sounds like things are moving  
6 along and there's no other Commission action  
7 necessary at this point pending these motions. So  
8 that's it. I appreciate you all coming down today  
9 and giving me the update. And I think that's it.

10 Is there anything anyone would like to  
11 add before we close?

12 MR. HEALEY: Nothing from the Railroad, your  
13 Honor.

14 MS. McNEILL: Nothing from I-DOT.

15 JUDGE KIRKLAND-MONTAQUE: All right. Well,  
16 thank you again. I appreciate you coming down. And  
17 I think we're in good shape on this one. Thank you.

18 MR. VERCUYSSSE: Thank you, your Honor.

19 MR. HEALEY: Thank you, your Honor.

20 MS. McNEILL: Thank you, your Honor.

21 SINE DIE.

22